



Approved on: 20 JUL 2012

DOJ POLICY STATEMENT

TELEWORK

PURPOSE: This Policy Statement establishes policy, assigns responsibilities, and prescribes procedures for implementing the Department of Justice's (DOJ) telework program.

SCOPE: This Policy Statement applies to all DOJ Components and covers all DOJ employees.

ORIGINATOR: Justice Management Division (JMD), Human Resources Staff (HR)

CATEGORY: (I) Administration, (II) Human Resources

AUTHORITY: P.L. 111-292; P.L. 104-52, Section 620
Order DOJ 1200.1, Human Resources

CANCELLATION: None

DISTRIBUTION: This Policy Statement is distributed electronically to those components referenced in the 'SCOPE' section as well as posted to the DOJ Directives electronic repository ([Sharepoint](#))

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ACTION LOG

All DOJ directives are reviewed, at minimum, every five years and revisions are made as necessary. The action log records dates of approval, recertification, and cancellation, as well as major and minor revisions to this directive. A brief summary of all revisions will be noted. In the event this directive is cancelled, superseded, or supersedes another directive, that will also be noted in the action log.

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GLOSSARY OF TERMS

DEFINITIONS	
Component	For purposes of this Policy Statement, the following DOJ Bureaus, Offices and Divisions meet the definition of Component: All Offices, Divisions, Bureaus, and Boards identified in 28 CFR § 0.1, as well as the Department of Justice Office of Inspector General
Continuity of Operations Plan (COOP)	A plan to ensure that agencies continue to perform their Mission Essential Functions and Primary Mission Essential Functions during a wide range of emergencies including localized acts of nature, accidents, technological, or attack-related emergencies.
Official Discipline	For purposes of this Policy Statement, official discipline is a disciplinary action that results in the placement of a document, such as a written reprimand, suspension, reduction in grade or pay, or removal, in an employee's official personnel file (OPF).
Official Worksite	Designated location where the employee regularly performs his or her duties. It is the assigned duty station as defined in Federal regulations and OPM guidance.
Pandemic Health Crisis	A disease occurring over a wide geographic area, affecting an exceptionally high proportion of the population, and spreading to more than one continent.
Routine Telework	Telework that occurs on a regular and recurring basis at least one day per month at an approved telework location away from an employee's traditional worksite.
Situational or Ad Hoc Telework	Telework that occurs on an occasional, non-routine basis.
Telework	A work flexibility arrangement under which an employee performs the duties and responsibilities of his or her position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.
Telework Agreement	An agreement between the supervisor and employee covering items specific to the employee's situation such as type of telework, official work site, telework location, complete work schedule including any scheduled telework days, modes of communication (e.g., email, phone).
Telework Locations	Approved worksites other than the traditional worksite. Examples include an employee's residence, a Telework Center, or another

	Component's work space.
Traditional Worksite	The place where the employee would normally work absent a telework agreement.
Unscheduled Telework	A form of situational telework that provides the opportunity for Federal employees to work from approved telework locations on non-scheduled telework days.

ACRONYMS	
CFR	Code of Federal Regulations
DOJ	Department of Justice
GFE	Government Furnished Equipment
HR	Human Resources Staff
JMD	Justice Management Division
OPM	Office of Personnel Management
P.L.	Public Law
U.S.C.	United States Code

DOJ POLICY STATEMENT

TELEWORK

For many years, laws addressing telework (under various names – “work at home,” “flexible work,” “telecommuting,” etc.) have been in effect for Federal employees. The Telework Enhancement Act of 2010 (Public Law No. 111-292, dated December 9, 2010) states that each executive agency must “establish a telework policy under which eligible employees of the agency may be authorized to telework.” The Act also requires the head of each executive agency to designate a Telework Managing Officer, ensure that telework employees meet certain criteria such as having completed an interactive training program, and submit annual reports addressing telework programs.

The Office of Personnel Management (OPM), in *A Guide to Telework in the Federal Government*, published in April 2011, states “[t]he term 'telework' or 'teleworking' refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.” Telework is not an entitlement, but its use can: 1) serve as an effective recruitment and retention strategy; 2) be a useful strategy to improve COOP to help ensure that essential Federal functions continue during emergency situations; 3) enhance DOJ efforts to employ and accommodate people with disabilities; and 4) create cost savings by decreasing the need for office space and parking facilities, and by reducing transportation costs, including costs associated with payment of transit subsidies.

In practice, “telework” is a work arrangement that allows an employee to perform work, during any part of regular, paid hours, at an approved alternative worksite (e.g., home, telework center). This definition of telework includes what is generally referred to as remote work but does not include any part of work done while on official travel or mobile work.

I. Policy

- A. General Guidelines.** The DOJ is fully committed to the use of telework as a tool that will assist in the strategic management of human capital. Participation in telework is voluntary. However, telework is not an employee right. Telework shall be:

1. Actively promoted and implemented throughout the Department in support of the DOJ commitment to workforce efficiency, emergency and inclement weather preparedness, and quality of life.
2. Authorized to the extent that the mission of the office is not jeopardized.
3. Accomplished on a regular and recurring or an ad hoc basis at an approved alternate worksite.
4. Used to help create employment and return-to-work opportunities for veterans, people with disabilities, and spouses of Service members and employees being relocated.
5. Periodically exercised to ensure its effectiveness in continuing operations in the event of a crisis or national emergency (e.g., pandemic influenza).

B. Telework Types. There are two types of telework:

1. **Routine.** Routine telework occurs as part of an ongoing, regular schedule.
2. **Situational.** Situational telework is approved on a case-by-case basis, where the hours worked were NOT part of a previously approved, ongoing and regular telework schedule. Examples of situational telework include, but are not limited to, telework necessitated by inclement weather, doctor appointment, or special work assignments. Situational telework is sometimes also referred to as episodic, intermittent, unscheduled, or ad hoc telework. Employees who are approved for routine telework also are eligible for situational telework.

C. Telework Eligibility. Employees must occupy a position that is compatible with telework and meet other criteria to be eligible.

1. **Position Compatibility.** Telework compatible positions are those for which employees can effectively accomplish job functions outside the traditional worksite. Positions requiring employees to perform daily, hands-on services for others or to handle sensitive or classified materials are not compatible with routine or regularly scheduled telework. Supervisors and employees may agree to temporary modifications of job functions to enable employees to telework on an ad hoc or situational basis.

2. Employee Eligibility Criteria. Except for telework established as a reasonable accommodation under the Rehabilitation Act of 1973 (*see* Paragraph I.K of this Policy Statement), DOJ employees must meet the following minimum eligibility criteria to be considered for telework participation.

- a. The employee must have received overall performance evaluations at the fully successful (or equivalent) level or higher on his or her most recent rating of record.
- b. The employee must not have been officially disciplined for being absent without permission for more than five days in any calendar year.
- c. The employee must not have been officially disciplined for viewing, downloading, or exchanging pornography including child pornography, on a Federal government computer while performing official Federal government duties.
- d. The employee must not have been placed under a performance improvement plan (PIP), a letter of leave restriction, or officially disciplined for any reason within the past year.

D. Telework Agreements. Any employee who wishes to telework must sign a telework agreement, have the agreement approved by his/her supervisor, and successfully complete telework training. The employee's supervisor must also complete telework training prior to approving an agreement. The DOJ Telework Agreement form is attached in Appendix B.

1. Developing Telework Agreements. The telework agreement must include the approved telework option, work schedule and hours of duty/attendance, detail of worksite, list of Government Furnished Equipment (GFE), and completed security checklist. The Safety Checklist for Telework Locations is attached in Appendix B.

- a. Work schedules must adhere to the provisions of existing regulations, government-wide policy, and applicable bargaining agreements.
- b. Each telework agreement should provide for a minimum of two regular/recurring days at the traditional worksite each pay period unless the telework site has been designated as the official worksite.

2. Completing Telework Training. JMD HR provides an interactive telework training program.
3. Revising Telework Agreements. Supervisors and employees must revisit, revise (if needed), and re-sign telework agreements to include the Safety Checklist for Telework Locations no less frequently than once every two years.
4. **Denying or Terminating a Telework Agreement.** Supervisors may deny telework requests, and both supervisors and employees may terminate telework agreements.
 - a. **Denial or Termination Decisions.** Supervisors must base decisions to deny permission to telework or to terminate telework agreements on work-related reasons, such as those listed below:
 - 1) Employee ineligibility
 - 2) Position incompatibility
 - 3) Decline in employee performance
 - 4) Employee misconduct
 - 5) Employee appointment or position status (e.g. trainees or entry-level employees)
 - 6) Safety issues or suspected hazardous materials in the telework location
 - 7) Adverse impact on the operations of the office, including costs associated with potential change of duty station
 - 8) Failure to adhere to all terms of the telework agreement
 - b. **Denial or Termination Documentation.** Supervisors must document any determination not to approve or to terminate a telework agreement. An employee may voluntarily terminate a telework agreement upon advance written notice to the supervisor.
 - c. **Grievances.** Employees may file a grievance under the Department administrative grievance procedure or the provisions of an applicable collective

bargaining agreement if they believe the supervisor wrongly denied permission to telework or terminated a telework agreement.

- E. Telework Location.** The employee will limit performance of officially assigned duties to the traditional worksite or to agency-approved telework locations. Provided the employee is given at least 24 hours advance notice, the employee agrees to allow the supervisor or a designee to inspect the telework location during the employee's normal working hours. This is to ensure worksite conformance with guidelines established in this policy. Failure to comply with this provision may result in termination of the telework agreement and appropriate disciplinary action.
- F. Official Worksite.** The official worksite for each employee shall be consistent with the guidance set forth in section 531.605 of title 5, Code of Federal Regulations.
- 1. Designating Telework Location as the Official Worksite.** Supervisors may designate the telework location as the official worksite for an employee who is not scheduled to report to the traditional worksite at least twice each biweekly pay period on a regular and recurring basis.
 - 2. Notification of Personnel Action.** When an employee's official worksite designation is changed from the traditional worksite to the telework location, the supervisor must notify the servicing Human Resources Office which must complete a Standard Form 50, "Notification of Personnel Action" to record an official change in duty station.
 - 3. Compensation Based on Official Worksite.** Employees are compensated based on the location of their official worksite (i.e., when the telework location is the employee's official worksite, locality pay is based on the location of the telework location, not the traditional worksite).
 - 4. Duty Station Outside the Commuting Area of the Traditional Worksite.** Employees requesting designation of their telework location as their official worksite will not be entitled to receive relocation expenses if the telework location is outside the commuting area of the employee's traditional worksite.
 - 5. Reimbursement for Official Business Travel.** Under applicable travel regulations, employees are entitled to reimbursement for official business travel to the traditional worksite when the employee teleworks full-time from a location outside of the local

commuting area, and his or her telework location has been designated as the official worksite.

- 6. Reduction in Force.** Reassigning the employee from the traditional worksite to the telework location may have implications in the event of a reduction in force (e.g., the telework location may be in a different competitive area than the traditional worksite).

G. Dismissals, Closures and Leave. The ability to conduct work, whether at the traditional worksite or the telework location, determines when an employee may be excused from duty. DOJ teleworkers and supervisors must consult the decision support matrix at Appendix C to determine an employee's duty status during a worksite closure, authorized early dismissal, authorized delayed arrival, or authorized unscheduled telework (to include declaration of COOP status).

- 1. Dismissals or Closure.** DOJ teleworkers scheduled to telework on a day when delayed arrival, early dismissal, or closure is authorized for the traditional worksite will continue to work as scheduled except as specifically authorized by the teleworker's supervisor. Supervisors may grant exceptions to scheduled telework requirements if there are power outages or other events that would prevent an employee from working at the telework site. Teleworkers (routine and situational) not scheduled to telework on days for which delayed arrival, early dismissal, or closure is authorized for the traditional worksite are encouraged to telework to the extent they have work to do and any necessary, approved equipment. In COOP situations, telework may be required.
- 2. Unscheduled Leave or Unscheduled Telework.** When OPM announces unscheduled leave or unscheduled telework, affected employees who have a current telework agreement may take unscheduled leave or perform unscheduled telework but must notify their supervisors of their intent, in accordance with established procedures, and subject to any bargaining unit requirements. Employees electing the unscheduled telework option must have any necessary, approved equipment and an adequate amount of work to perform during the entire workday or account for any time not performing work by requesting leave.
- 3. Leave.** The policies for requesting leave remain unchanged.

H. Security. Employees are responsible for protecting and safeguarding all DOJ information, GFE, and Government property while teleworking.

1. **Classified Documents.** Employees shall not take classified documents (hard copy or electronic) to any telework location.
2. **Component Security Requirements.** Employees must comply with any criteria and guidelines established by their respective Components for keeping Government property and information safe and secure.
3. **Information Technology Security.** All Department work conducted from alternate worksite locations must comply with DOJ Order 2640.2F, Information Technology Security.
4. **Unclassified Data.** Employees must protect sensitive unclassified data, including documents or data that may be protected by a legal privilege, Privacy Act-protected, Sensitive but Unclassified (SBU), or For Official Use Only (FOUO) data, consistent with guidance set forth in DOJ Order 3011.1A and Component policy.
5. **Competition Sensitive, Source Selection, or Contractor Proprietary Data.** Employees must protect competition sensitive, source selection information, or contractor proprietary data restricted by section 423 of title 41, U.S. Code (also known as Section 27 of the Office of Federal Procurement Policy Act, as amended) or data otherwise restricted by the Federal Acquisition Regulation or other acquisition policies.

I. Equipment

1. **Government Furnished Equipment (GFE).** Within budgetary constraints and based on the nature and type of work performed, supervisors should determine the propriety of furnishing and installing GFE and software for employees who telework. Components should provide necessary equipment and office supplies for official use. The Component is responsible for service and maintenance of GFE.
2. **Authorized Use.** Employees shall use GFE for official and authorized purposes only. Family members and friends of employees are not authorized to use GFE and materials. Employees must return GFE to the Component at the conclusion of teleworking arrangements or at the Component's request.
3. **Use of Personally-owned Computers.** Use of personally-owned computers to access unclassified DOJ systems or networks remotely must comply with the criteria

and guidelines for using personal equipment established by the DOJ Chief Information Officer and the employee's respective Component requirements.

- 4. Incremental Costs.** Employees are responsible for the installation, repair, and maintenance of all personally-owned equipment and other incremental costs associated with the residential workplace. Neither the Department nor Components will assume operating costs including home maintenance, insurance, or utilities (e.g., heat, electricity) associated with an employee using his or her personal residence as the alternate worksite.
- 5. Use of Appropriated Funds.** Components may use appropriated funds to install telephone lines, broadband, or other necessary telecommunications equipment in a private residence for employees who telework on a routine basis, when the purpose is for official Government business consistent with the guidance set forth in section 620 of Public Law 104-52. Components may also issue teleworking employees calling cards, provide cell phones, or reimburse employees for long-distance (domestic and international) telephone expenses if incurred as a result of official business.
- 6. Liability for Damage.** DOJ is not liable for damages to the employee's personal or real property while the employee is working at home, except to the extent the Government is liable under sections 1346(b), 1402(b), 2401(b), and 2671 et seq. of title 28, U.S. Code (also known as "The Federal Tort Claims Act").
- J. Workers Compensation.** Employees are covered by Chapter 81 of title 5, U.S. Code (also known as "The Federal Employment Compensation Act") when injured or suffering from work-related illnesses while conducting official Government business at the telework location.
- K. Reasonable Accommodations.** Reasonable accommodation for disabilities is governed by Section 501 of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended, 29 U.S. Code §791 et seq. Telework may be approved as a reasonable accommodation for a disability without regard to the employee eligibility requirements set forth in section C.2 of this Policy Statement. Supervisors and employees should put telework agreements in place to memorialize the terms of approval of telework as a reasonable accommodation.
- L. Component Telework Policies and Telework Agreements.**

A Component may choose to use this Policy Statement in lieu of developing its own Component-specific policy, or may design its own Component-specific policy with

additional criteria and standards for telework eligibility. In such cases, the Component must inform its workforce in writing of this decision. Component-specific policies must comply with the minimum requirements set forth in this Policy Statement. A Component also may opt to design a telework agreement that coincides with the requirements of this Policy Statement.

II. Roles and Responsibilities

A. Component Heads shall:

1. Establish, administer, and evaluate Component telework programs in accordance with the requirements of P.L. 111-292, the Telework Enhancement Act of 2010, and the provisions of this Policy Statement.
2. Designate a Component Telework Coordinator to provide guidance, manage and track telework, and serve as a liaison to the Department on telework matters.
3. Incorporate telework into Continuity of Operations Plans (COOP) and plans for a pandemic health crisis.
4. Ensure that appropriate collective bargaining obligations on telework policies, including telework agreements, are fulfilled.

B. The Department Telework Managing Officer shall:

1. Advise agency leadership and serve as a resource for management and employees.
2. Serve as the primary point of contact for the Office of Personnel Management (OPM) on telework matters.

C. The Department Telework Coordinator shall:

1. Serve as the Department's coordinator for telework initiatives.
2. Periodically review the DOJ Telework Policy Statement to ensure consistency with changes to authorizing statutes and regulatory requirements.
3. Issue an annual call for Component telework reports as required in this Policy Statement.

D. Component Telework Coordinators shall:

1. Serve as the Component's coordinator for telework initiatives.

2. Periodically review Component telework policy and procedures to ensure consistency with future changes to authorizing statutes, regulatory requirements, and this Policy Statement.
3. Compile and submit Component telework reports as required by this Policy Statement.
4. Monitor progress on annual Component telework participation goals established by the Component Head in accordance with the Telework Enhancement Act of 2010; establish procedures to capture and track employee participation, denials, and terminations; and provide telework data to the Director, Human Resources Staff, Justice Management Division (JMD) or his/her designee for the annual Status of Telework in the Federal Government Report to the Congress and other reports and data as requested.
5. Provide guidance and training to supervisors responsible for making decisions related to program participation and provide additional assistance as needed.

E. Supervisors shall:

1. Determine position compatibility for telework in accordance with guidelines set forth in Section I.C.1 of this Policy Statement.
2. Determine employee eligibility in accordance with Section I.C.2 of this Policy Statement.
3. Notify employees of their ability to participate in telework based on determinations of position compatibility and employee eligibility.
4. Complete an interactive telework training course prior to acting on any telework request.
5. Review and sign employee telework agreements for all types of approved telework (e.g., routine, situational) to include the Safety Checklist for Telework Locations.
6. Document any decisions related to disapproval or termination of telework.
7. Require employees who request permission to telework to certify that the proposed telework location has adequate physical and environmental security measures in place

- to protect equipment, documents, and data from being accessed by unauthorized individuals.
8. Verify that the employee has the information and equipment necessary to perform assigned work independently.
 9. Clearly articulate the employee's performance expectations in the telework agreement.
 10. Assign work, monitor and evaluate performance, advance, reward/recognize, train and develop teleworkers in the same manner as employees at the traditional worksite.
 11. Evaluate the efficacy of each employee's telework agreement no less frequently than once every two years.
 12. Review and certify time and attendance reports to ensure that telework and absences during scheduled tours of duty are accurately recorded.
 13. Approve or deny requested changes in work schedules on telework days in advance.
 14. Immediately investigate any reported workplace-related injury or illness.

F. Employees shall:

1. Complete an interactive telework training course prior to signing a telework agreement.
2. Complete employee sections and sign telework agreements for all types of approved telework (e.g., routine, situational) to include the Safety Checklist for Telework Locations.
3. Comply with the Standards of Ethical Conduct for Employees of the Executive Branch (Part 2635 of title 5, Code of Federal Regulations) while working at the telework location (just as in the traditional worksite).
4. Complete all assigned work according to standards and guidelines in the employee's performance plan.

5. Ensure that work documents and data in both hard copy and electronic forms are adequately secured.
6. Comply with equipment usage requirements set forth in this Policy Statement.
7. Ensure that care for dependents (e.g. young children, elderly individuals, or individuals with special needs) is provided by someone other than the employee while he/she teleworks.
8. Notify the supervisor of any workplace-related injury or illness as soon as possible.
9. Follow established procedures for requesting leave.
10. Coordinate absences from the telework location, including official meetings, to ensure the supervisor can properly account for the employee's whereabouts and attendance.
11. Notify the supervisor in advance when voluntarily terminating a telework agreement.
12. Accurately complete time and attendance reports to ensure that telework and absences during scheduled tours of duty are accurately recorded.

III. Reporting and Documentation

A. Annual Reports. In support of the annual Status of Telework in the Federal Government Report to the Congress and in accordance with the Telework Enhancement Act of 2010, Components, upon request, will provide the following information to the Director, Human Resources, JMD or his/her designee.

1. Participation Levels, including:
 - a. Total number of employees in the organization
 - b. Number and percentage of employees eligible to telework
 - c. Number and percentage of eligible employees who are teleworking
 - 1) 3 or more days per pay period

- 2) 1- 2 days per pay period
- 3) once per month, or
- 4) on an occasional, episodic or short term basis.

2. Method for gathering telework data.

- 3.** Reasons for variation if the total percentage of employees varies by 10% higher or lower from one year to the next.
- 4.** Goals for increasing participation for next reporting period (as it pertains to each frequency category stated in Section III.A.1.c.).
- 5.** Explanation whether the organization met its goals; if not, actions considered to identify and eliminate barriers to maximize telework opportunities for next reporting period.
- 6.** Assessment of progress made in meeting participation goals and other organizational goals relating to telework such as the impact on:
 - a. Emergency readiness
 - b. Energy use
 - c. Recruitment and retention
 - d. Performance
 - e. Productivity
 - f. Employee attitudes and opinions regarding telework, and
 - g. Best practices in the telework program.

B. Document Retention. Components will maintain relevant telework documentation, e.g., agreements, requests, and related records. Components will keep telework records for each participating employee for one year after the end of the employee's participation. Components will destroy unapproved requests to participate one year after denying a request. Components will destroy forms and records evaluating the telework program

after the completion of one year, or when no longer needed, whichever is later per the National Archives and Records Administration, General Records Schedule 1, item 42.

APPENDIX A: REFERENCES

References	
Statutes	<p>P.L. 111-292</p> <p>P.L. 104-52, Section 620</p> <p>5 U.S.C. §2105</p> <p>5 U.S.C. Chapter 81</p> <p>28 U.S.C. §1346(b), 1402(b), 2401(b), and 2671 et seq.</p> <p>41 U.S.C. §423</p> <p>Section 501 of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended, 29 U.S.C. §791 et seq.</p> <p>National Archives and Records Administration, General Records Schedule 1, item 42</p>
Code of Federal Regulations	<p>5 CFR 531.605</p> <p>5 CFR Part 2635</p>
DOJ Orders	<p>DOJ 1200.1, Part 6, Chapter 2, Flexible Work Options Program</p> <p>DOJ Order 2640.2F, Information Technology Security</p> <p>DOJ Order 3011.1A, Compliance with Privacy Requirements of the Privacy Act, the E-Government Act, and the FISMA</p>
Guidance	<u>OPM Guide to Telework in the Federal Government</u>

APPENDIX B: DOJ TELEWORK AGREEMENT FORM**DOJ TELEWORK AGREEMENT FORM**

Part 1: General Information (Please type or print clearly)			
Action Requested: New <input type="checkbox"/> Change <input type="checkbox"/> Termination <input type="checkbox"/> Date of Request _____			
Employee Information			
Employee Name _____		Component/Division _____	Office _____
() _____	() _____	() _____	() _____
Work Phone _____	Blackberry Phone _____	Home Phone _____	Cell Phone _____
Supervisor's Name _____			
Part 2: Telework Agreement			
<i>The following constitutes an agreement on the terms and conditions of the telework arrangement between the employee and the Department of Justice.</i>			
Approved Telework Option/Days Select one option:			
<input type="checkbox"/>	Routine Scheduled Telework Days (per Pay Period)		
	Week 1	Week 2	
Monday	<input type="checkbox"/>	<input type="checkbox"/>	
Tuesday	<input type="checkbox"/>	<input type="checkbox"/>	
Wednesday	<input type="checkbox"/>	<input type="checkbox"/>	
Thursday	<input type="checkbox"/>	<input type="checkbox"/>	
Friday	<input type="checkbox"/>	<input type="checkbox"/>	
Saturday	<input type="checkbox"/>	<input type="checkbox"/>	
Sunday	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	Routine Scheduled Days per month: List Days per month (if not authorized to telework at least one day per pay period, but at least one regularly scheduled and recurring telework day per month): _____		
<input type="checkbox"/>	Situational (Ad Hoc: short period of time, project based, unscheduled or weather related) Provide examples of approved telework situations _____		

Portable Document Format (PDF) files may be viewed with a free copy of [Adobe Acrobat Reader](#)

Terms of Agreement					
1. Telework is not an employee right. The employee volunteers to telework and to adhere to applicable guidelines and DOJ telework policies. The Department concurs with employee participation and agrees to adhere to applicable guidelines and policies.					
2. The employee agrees to participate for a period beginning: _____ and ending: _____. The terms of this agreement should be reviewed and updated as necessary, but no less frequently than once every two years.					
3. The supervisor and employee agree to the following tour of duty for the telework location.					
Start Time				Stop Time	
4. Employee's official worksite:					
		Street Address		City, State	Zip Code
5. Employee's traditional worksite (if different from the employee's official worksite):					
		Street Address		City, State	Zip Code
6. The approved telework locations are:					
Primary telework location:		Street Address		City, State	Zip Code
Secondary telework location:		Street Address		City, State	Zip Code
Describe in detail the designated work area at the telework locations:					
7. Employee has completed the Safety Checklist for Telework Locations. Employee and supervisor have discussed requirements for an adequate and safe work area and the employee certifies that all approved telework locations meet those requirements.					
8. Employee completed telework training on _____ (date).					
9. The following equipment has been issued to the employee and documented by the agency:					
Equipment	Description	Issue Date	Serial Number	DOJ Property Tag #	Return Date
Computer					
Telephone/Blackberry					
Other					
Other					
Other					
10. All timekeeping, leave, performance requirements, and special pay approvals are the same as for the traditional worksite, except if telework is frequent enough to require change in duty location.					
11. Provided the employee is given at least 24 hours advance notice, the employee agrees to allow the supervisor or a designee, to inspect the telework location during the employee's normal working hours. This is to ensure worksite conformance with these guidelines.					

Terms of Agreement		
12. The employee must immediately notify the supervisor of any work related accident, injury, or illness occurring at the telework location and timely submit completed Occupational Injury/Illness Forms, as appropriate.		
13. The Government will not be liable for damages to an employee's personal or real property during the course of performance of official duties or while using Government equipment in the employee's residence, except to the extent the Government is held liable by Federal Tort Claims Act.		
14. The Government will not be responsible for operating costs, home maintenance, or any other incidental costs whatsoever, associated with the use of the employee's residence. While teleworking, the employee is entitled to reimbursement for authorized expenses incurred while conducting business for the Government, as provided for by statute and implementing regulations.		
15. The employee will apply approved safeguards when teleworking to protect Government/agency records from unauthorized disclosure or damage. He/she will comply with the Privacy Act requirements per DOJ Order 3011.1A, and the provisions specified in DOJ Order 2640.2F, Information Technology Security, in order to protect access to DOJ electronic information and computer systems.		
16. The employee may voluntarily terminate a telework agreement at any time. Supervisors may remove the employee from a telework agreement in accordance with DOJ telework policies, established administrative procedures, and union negotiated agreements. _____ (Initial)		
17. The employee agrees to limit performance of officially assigned duties to the traditional worksite or to agency-approved telework locations. Failure to comply with this provision may result in termination of the telework agreement, or appropriate disciplinary action.		
18. The employee agrees that he or she may be required to telework outside of his or her normal telework schedule in the case of a temporary emergency situation (e.g. worksite closure, authorized early dismissal, authorized delayed arrival, declaration of COOP status).		
19. The employee certifies that adequate dependent care arrangements are in place, and will not interfere with the employee's ability to telework.		
Safety Checklist for Telework Locations		
The following checklist is designed to help you assess the overall safety of telework locations. Each participant should read the safety checklist provided below and certify that all telework locations are in compliance with all listed safety criteria.		
Safety Feature	Yes	No
1. Is the space free of indoor air quality hazards such as asbestos and mold?	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the work space equipped with fire, smoke, and carbon monoxide detectors?	<input type="checkbox"/>	<input type="checkbox"/>
3. Are stairways and walkways nonslip and free of obstructions and trip hazards?	<input type="checkbox"/>	<input type="checkbox"/>
4. Is all electrical equipment free of recognized hazards that would cause physical harm?	<input type="checkbox"/>	<input type="checkbox"/>
5. Are all areas free of obstructions to permit visibility and movement?	<input type="checkbox"/>	<input type="checkbox"/>
I hereby agree to the telework Terms of Agreement and certify that my telework location is in compliance with all listed safety criteria.		
Employee's signature:		Date:
Part 3: Immediate Supervisor's Review		
<input type="checkbox"/>	Recommended for approval	
<input type="checkbox"/>	Recommended for approval with modification (please describe):	
<input type="checkbox"/>	Recommended for disapproval (state reason):	
Supervisor's signature:		Date:

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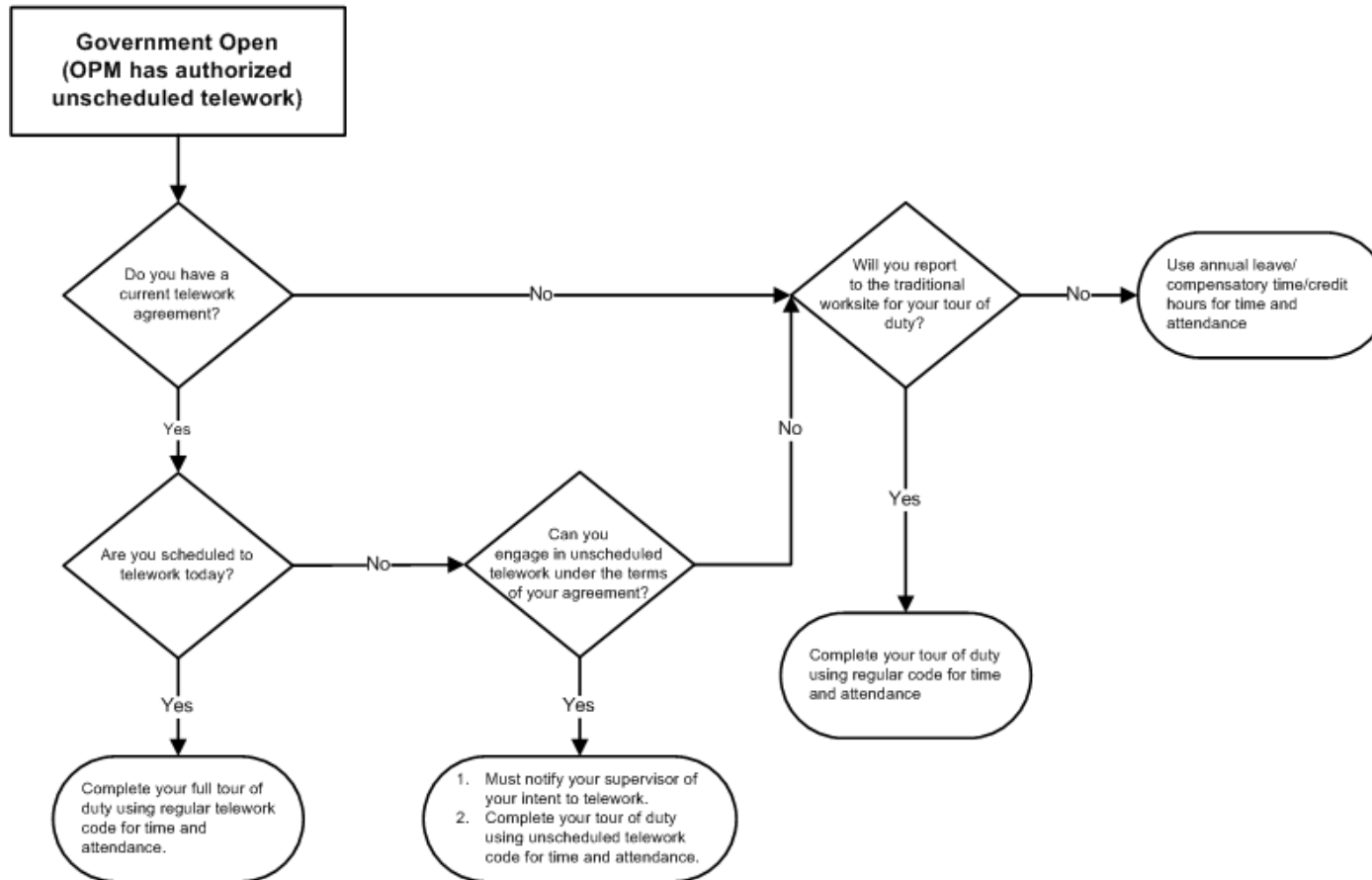
Copy – Employee

Copy – Human Resources

APPENDIX C: TELEWORK PROCESS FLOWCHARTS

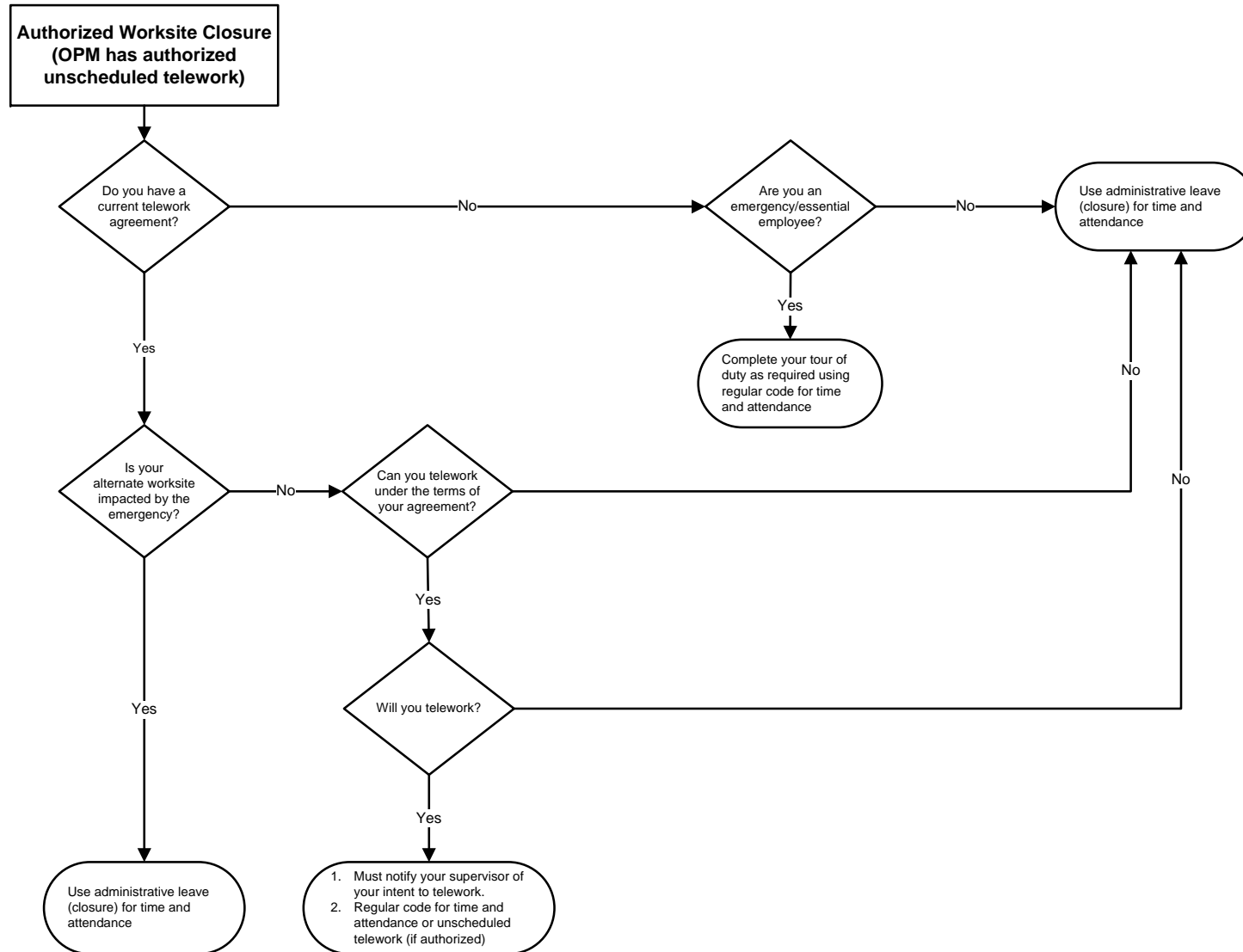
Government Open (Authorized Unscheduled Telework)

Appendix C



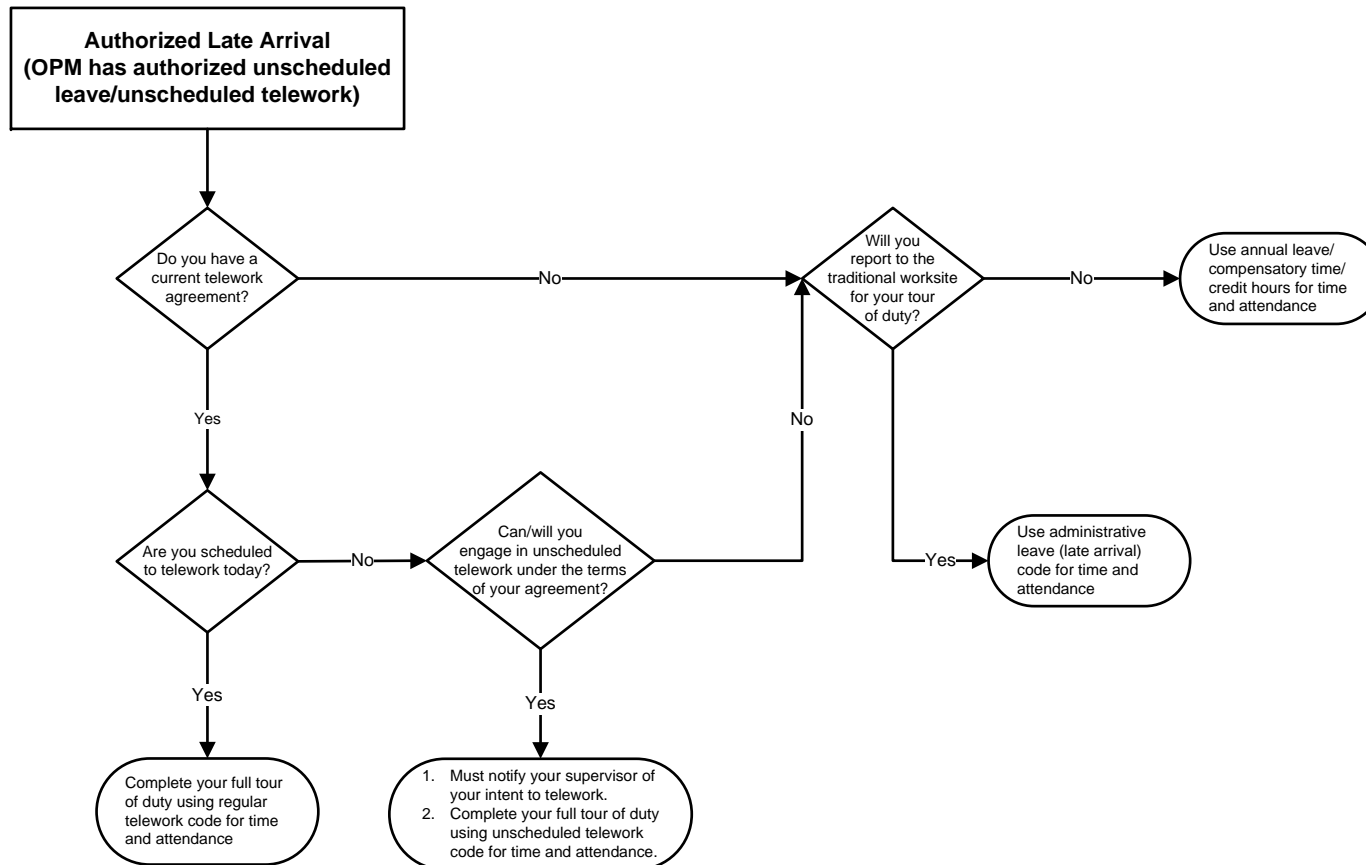
Authorized Worksite Closure

Appendix C



Authorized Late Arrival

Appendix C



Authorized Early Dismissal

Appendix C

